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Attorney for CREDITOR, ANTHONY CARLO,  
DANIEL CARLO AND KAREN CARLO  
Our File No: 32808

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
CASE NO. 12-15709-DHS

IN RE:

NICHOLAS TARSIA  
Debtor

ADVERSARY CASE NO. 12-1590

ANTHONY CARLO, DANIEL CARLO  
AND KAREN CARLO

TRIAL DATE: MARCH 7, 2013  
10:00 A.M.

Plaintiff

vs:

JUDGE: DONALD H. STECKROTH

NICHOLAS TARSIA

Defendant

Statement of Undisputed Facts

1. The parties arbitrated their disputes in the Superior Court of New Jersey, Law Division, Ocean County, Docket No. L-812-10

2. The arbitrator entered an award in favor of Anthony Carlo in the amount of \$552,524.79 based upon breach of fiduciary duties.

3. The award was confirmed on April 29, 2011.

4. Defendant has failed to respond to pretrial discovery to dispute the Plaintiff's allegations.

Conclusions of Law

1. Defendant is collaterally estopped by the Superior Court judgment. Grogan v. Garner 111 S.Ct. 654 (1991)

2. The claim of Anthony DeCarlo is non-dischargeable under 11 U.S.C.A. §523(a)(4).

Exhibit List

P-1 Arbitration Award

P-2 Order Confirming Arbitration Award

KATHLEEN R. WALL, ESQUIRE  
Attorney for Anthony Carlo

/s/ KATHLEEN R. WALL

DATED: March 4, 2013

KATHLEEN R. WALL, ESQUIRE